

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE 0:23-cv-61223-RKA

TARA RULE, individually and)	
on behalf of others similarly situated,)	
)	
Plaintiff,)	
)	
vs.)	Case 0:23-cv-61223-RKA
)	
HEALTHCARE REVENUE RECOVERY)	
GROUP, LLC)	JURY TRIAL DEMANDED
)	
Defendant.)	

**DEFENDANT HEALTHCARE REVENUE RECOVERY GROUP, LLC’S ANSWER,
AFFIRMATIVE DEFENSES, AND DEMAND FOR A TRIAL BY JURY**

Defendant Healthcare Revenue Recovery Group, LLC (“Defendant”) by and through its attorneys, Kaufman Dolowich LLP, answers the Complaint (“Complaint”) filed by Plaintiff Tara Rule (“Plaintiff”) and states as follows:

NATURE OF THE ACTION

1. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

2. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

3. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

JURISDICTION AND VENUE

4. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

5. Admitted in part; denied in part. Defendant admits that it has an office in Florida. The remaining allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

PARTIES

6. Denied. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this Paragraph and therefore denies the same. Further, the allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

7. Admitted in part; denied in part. Defendant admits that it has an office in Florida. The remaining allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

8. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

FACTS

9. Denied. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this Paragraph and therefore denies the same. Further, the allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

10. Denied. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this Paragraph and therefore denies the same. Further, the allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

11. Denied. Defendant is without knowledge or information sufficient to form a belief

as to the truth of the allegations in this Paragraph and therefore denies the same. Further, the allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

12. Denied. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this Paragraph and therefore denies the same. Further, the allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

13. Denied. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this Paragraph and therefore denies the same. Further, the allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

14. Denied. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this Paragraph and therefore denies the same. Further, the allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

15. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

16. Denied.

17. Denied. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this Paragraph and therefore denies the same. Further, the allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

CLASS ACTION ALLEGATIONS

18. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

19. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

20. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

21. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

22. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

23. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

24. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

a. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

b. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

c. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

d. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

e. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

f. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

g. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

h. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

25. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

26. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

27. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

28. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

29. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

COUNT I

30. Defendant incorporates its responses to the allegations contained in Paragraphs 1 through 29 above and incorporates them as if specifically set forth at length herein.

31. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

32. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

33. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

34. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

35. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

36. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

37. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

38. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

39. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

40. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

COUNT II

41. Defendant incorporates its responses to the allegations contained in Paragraphs 1 through 40 above and incorporates them as if specifically set forth at length herein.

42. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

43. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

44. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

45. Denied. The allegations in this Paragraph, if any, are denied as a legal conclusion to which no response is required.

WHEREFORE, Defendant requests that this Court dismiss Plaintiff's Complaint in its entirety with prejudice, and award Defendant its reasonable attorney's fees and costs incurred in defending this action. Defendant further requests that this Court deny any other requested damages, fees, costs, other legal and equitable relief, and award such other relief as the Court deems just and equitable.

AFFIRMATIVE DEFENSES

1. Plaintiff has failed to state a claim upon which relief can be granted.
2. Plaintiff's claims may be barred by the statute of limitations.
3. Any violation of law by Defendant, which is specifically denied, was not intentional and resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adapted to avoid any such error.
4. Defendant reserves the right to assert additional affirmative defenses.

DEMAND FOR A TRIAL BY JURY

Defendant demands a trial by jury under Federal Rule of Civil Procedure 38 for all issues so triable.

Respectfully submitted,

KAUFMAN DOLOWICH & VOLUCK LLP

/s/Avery Dial

Avery A. Dial, Esquire

Fla. Bar No. 732036

Email: adial@kdvlaw.com

100 SE Third Avenue, Suite 1500

Fort Lauderdale, FL 33394

Tel: (954) 302-2498

Fax: (888) 464-7982

Attorneys for Defendant Healthcare Revenue

Recovery Group LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of September, 2023, a true and correct copy of the foregoing was filed with the Clerk of the Court using the CM/ECF system which will send notice of electronic filing to all parties or in some other authorized manner for those counsel or parties who are not authorized to receive notices electronically.

Respectfully submitted,

By: /s/Avery Dial
Avery Dial, Esquire
Fla. Bar No. 732036
Email: adial@kdvlaw.com